

**DETAILED ACTION**

**EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Claims 1, 6, 7, 13-17 and 29-48 are cancelled.

***Election/Restrictions***

Applicant's election without traverse of Group III, claims 22, 23, 26-28 and 49-66, in the reply filed on June 12, 2008 is acknowledged.

Accordingly, claims 1, 6, 7, 13-17 and 29-48 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected inventions, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on June 12, 2008.

This application is in condition for allowance except for the presence of claims 1, 6, 7, 13-17 and 29-48 directed to a species non-elected without traverse. Accordingly, claims 1, 6, 7, 13-17 and 29-48 have been cancelled.

***Priority***

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

***Information Disclosure Statement***

The prior art documents submitted by applicant in the Information Disclosure Statement filed on July 25, 2006 have all been considered and made of record (note the attached copy of form PTO-1449).

***Drawings***

Eleven (11) sheets of drawings were filed July 25, 2006 and have been accepted by the Examiner.

***Specification***

Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

***Allowable Subject Matter***

Claims 22, 23, 26-28 and 49-66 are allowed.

The following is an examiner's statement of reasons for allowance: The prior art of record does not disclose or reasonably suggest, either alone or in combination:

- a curved optical waveguide, as defined in claim 49, wherein a core shape of the curved optical waveguide is defined by

$$y = 1 - \cos \left[ \left( \frac{\pi}{2} \right) z \right] \text{ in combination with the other limitations of claim}$$

49;

- a curved optical waveguide, as defined in claim 50, wherein a core shape of the curved optical waveguide is defined by

$$y = (1-t)f(z) + t \left\{ 1 - \cos \left[ \left( \frac{\pi}{2} \right) z \right] \right\} \text{ in combination with the other}$$

limitations of claim 50;

- a curved optical waveguide, as defined in claim 55, wherein a core shape of the curved optical waveguide is defined by

$$y = (1-t)z + t \left\{ 1 - \cos \left[ \left( \frac{\pi}{2} \right) z \right] \right\} \text{ in combination with the other}$$

limitations of claim 55; or

- a curved optical waveguide, as defined in claim 60, wherein a core shape of the curved optical waveguide is defined by

$$y = (1-t) \left[ z - \left( \frac{a}{\pi} \right) \sin \pi z \right] + t \left\{ 1 - \cos \left[ \left( \frac{\pi}{2} \right) z \right] \right\} \text{ in combination with the}$$

other limitations of claim 60.

Claims 22, 23, 26-28, 65 and 66 depend from claim 49; claims 51-55 depend from claim 50; claims 56-59 depend from claim 55; and claims 61-64 depend from claim 60.

Hence, there is no reason or motivation to use the prior art of record to make the invention of claims 22, 23, 26-28 and 49-66.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

Any inquiry concerning the merits of this communication should be directed to Examiner Michelle R. Connelly-Cushwa at telephone number (571) 272-2345. The examiner can normally be reached 9:00 AM to 7:00 PM, Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Porta can be reached on (571) 272-2444. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general or clerical nature should be directed to the Technology Center 2800 receptionist at telephone number (571) 272-1562.

/Michelle R. Connelly-Cushwa/  
Primary Patent Examiner  
Art Unit 2874